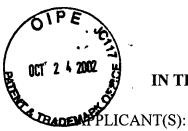
1-14-02 20/P/Dr.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Albert K. Chin

APPLICATION NO.:

09/635,345

FILING DATE:

August 9, 2000

TITLE:

Apparatus and Methods for Subxiphoid Endoscopic Access

EXAMINER:

Thomas C. Barrett

GROUP ART UNIT:

3738

RECEIVED

ATTY. DKT. NO.:

80121-07179

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CERTIFICATE OF MAILING ECHNOLOGY CENTER R3700

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Washington, D.C. 20231, on the date shown below:

By: ALBERT C. SMITH, Reg. No.: 20,355

COMMISSIONER FOR PATENTS WASHINGTON, DC. 20231

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT Under 37 CFR §§ 1.56 and 1.97-98

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO-1449/PTO-8A listing references for consideration by the Examiner. Enclosed is a copy of each listed reference that may be material to the examination of this application, and for which there may be a duty to disclose.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

	within three months of the filing date of the application, or date of entry
	into the national stage of an international application, or before the mailing
	date of a first office action on the merits, whichever event last occurred;

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	before the mailing of a first official action after the filing of a request for								
	contin	ued exa	mination (RCE) under 37 CFR § 1.114;						
\boxtimes	after t	after three months of the filing date of this national application or the date							
	of enti	of entry of the national stage in an international application, or after the							
	mailin	mailing date of the first official action on the merits, whichever event last							
	occurr	occurred, but before the mailing date of the first to occur of either: (1) a							
	final a	final action under 37 CFR §1.113; or (2) an action that otherwise closes							
	prosec	prosecution in the application, and:							
	\boxtimes	attacl	hed hereto is the fee set forth under 37 CFR §1.17(p) for						
		subm	ission of this Information Disclosure Statement under 37						
	•	CFR.	§ 1.97(c); OR						
		Appl	icant certifies pursuant to 37 CFR § 1.97(e) that:						
			each item of information contained in this Information						
			Disclosure Statement was first cited in a communication						
			from a foreign patent office in a counterpart foreign						
			application not more than three months prior to the filing of						
			this Statement; OR						
			no item of information contained in this Information						
			Disclosure Statement was cited in a communication from a						
			foreign patent office in a counterpart foreign application						
			and, to the knowledge of the person signing this						
			certification after making reasonable inquiry, no item of						
			information contained in this Statement was known to any						
			individual designated under 37 CFR § 1.56(c) more than						
			three months prior to the filing of this Statement;						
	befor	e the pa	syment of the issue fee but after the mailing date of the first to						
	occui	r of eith	er: (1) a final action under 37 CFR § 1.113; or (2) an action						
	that o	otherwis	se closes prosecution in the application, and:						
		Appl	icant certifies pursuant to 37 CFR. § 1.97(e) that:						
			each item of information contained in this Information						
			Disclosure Statement was cited in a communication from a						
			foreign patent office in a counterpart foreign application not						
			more than three months prior to the filing of this Statement;						
			or						
			no item of information contained in this Information						
			Disclosure Statement was cited in a communication from a						

				forei	gn patent office in a counterpart foreign application			
				and,	to the knowledge of the person signing this			
				certif	fication after making reasonable inquiry, no item of			
				infor	mation contained in this Statement was known to any			
				indiv	vidual designated under 37 CFR § 1.56(c) more than			
					months prior to the filing of this Statement; AND			
					eto is the fee set forth under 37 CFR §1.17(p) for			
					of this Information Disclosure Statement under 37			
				CFR.§ 1.97(
		П	after th	· ·	f the issue fee. Applicant request that the information			
		_			formation Disclosure Statement be placed in the file			
					R § 1.97(i), although the information may not be			
				ered by the U				
	П	This a	This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior					
	_				TION NUMBER], filed on [FILING DATE], and the			
references cited therein are hereby referenced, but are not required to b								
in this application under 37 CFR § 1.98(d).								
					ontained in this Information Disclosure Statement was			
	_				rom a foreign patent office in a counterpart application,			
					s not received by any individual designated in 37 CFR			
					lays prior to the filing of this Information Disclosure			
		Statement. 37 CFR § 1.704(d).						
				•	ee is required for the consideration of this Information			
		Disclosure Statement.						
	Consideration of the listed references and favorable action are solicited.							
					Respectfully submitted, ALBERT KCHIN			
					AEBERT R. JOHN			
•								
Dated:		ıd	9/02	<u></u>	By: a.c. Smeith			
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